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EXAMINER

DANIELS, MATTHEW J

ART UNIT PAPER NUMBER

1732

DATE MAILED: 08/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/800,505

Applicant(s)

BRISTOW ET AL.

Examiner

Matthew J. Daniels

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7,9-16,20,23-25,27,29,30 and 33-48 is/are pending in the application.
- 4a) Of the above claim(s) 35-48 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-7,9-16,20,23-25,27,29,30,33 and 34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. In the claims:

Claims 1, 4, 6, 9-14, 16, 20, 23-25, 27, 29, 30, 33 and 34 are currently amended.

Claims 5, 7, and 15 are original.

Claims 8, 17-19, 21, 22, 26, 28, 31, and 32 are canceled.

Claim 2 and 3 were previously presented

Claims 35-48 are withdrawn.

Claim Rejections - 35 USC § 112

2. Rejections under 35 USC 112 are withdrawn in view of the amended claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-7, 9-16, 20, 23-25, 27, 33 and 34** are rejected under 35 U.S.C. 103(a) as being unpatentable over Holtrop (USPN 4,529,641) in view of Breezer (USPN 5,635,129), Byma (USPN 6,322,658 B1), Steward (USPN 4,211,590), Haardt (USPN 5,180,628), Timothy (USPN 5,775,726), and Juriga (USPN 5,549,776). **As to Claim 1**, Holtrop teaches a thermoforming process for forming headliners (5:24) which comprises the steps of heating first and second

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layers (4:59-61), transferring the first sheet and coverstock to a thermoforming mold (5:3-5), compressing and fusing the cover-stock material to the first sheet forming a covered headliner part (4:16-32), and transferring the covered first sheet to a second mold and positioning the covered sheet in the lower, half mold of a twin sheet vacuum thermoforming mold (4:50-68), forming a covered headliner. Holtrop appears to be silent to: a) an oven for heating the first and second sheets to predetermined temperatures, b) frames holding the first and second sheets, c) matched mold halves, d) thermoforming the first and second sheets onto half molds prior to fusing regions of the headliner parts, e) the interior compartment having impact cushioning, f) ejecting the unified part.

a) Byrna teaches an oven (3:66) for heating a first and second sheet to predetermined temperatures (Fig. 4) for thermoforming headliner parts to obtain optimal compression and bonding of the layers (2:1-4).

b) Steward teaches (6:40-49) use of tenter frames during a preheating step prior to thermoforming a headliner to avoid shrinkage and surface irregularities.

c) Juriga teaches a thermoform process further comprising the steps of: after heating the first sheet in the oven to the predetermined temperature (3:19-20 and 6:25-27), transferring the heated first sheet to a thermoforming mold having matched mold halves (3:22 and Fig. 4, Items 142 and 144); transferring a cover-stock material to the thermoforming mold having matched mold halves (4:21-23); compressing and fusing the cover-stock material to the first sheet forming a covered first headliner part (6:29-33).

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d) Breezer teaches a thermoform process to form thermoformed articles with portions of significantly greater thickness than the combined thicknesses of the sheets from which the article is formed (2:35-39) comprising the steps of: holding a first sheet along its edges (Fig. 6, Item 34); heating the first sheet (3:39-41); transferring and molding the first sheet onto a half mold of a vacuum thermoforming mold forming a first part (3:38-47); holding a second sheet along its edges (Fig. 6, Item 30); heating the second sheet (3:49); transferring and molding the second sheet onto an opposing half mold of the vacuum thermoforming mold forming a second part (3:48-50); compressing the half molds of the thermoforming mold fusing regions of the first part to the second part (3:50-54), thereby forming a unified part having at least one interior compartment (Fig. 6).

e) Timothy teaches a roof-mounted airbag. In view of the interior cavities of Timothy having head impact cushioning (2:1-18), interior cavities would have been obvious to one of ordinary skill in the art. The Examiner also takes the position that the thermoformed laminate taught by Holtrop would have inherently have had impact cushioning because it contains interior cavities (Fig. 2) as sought by Applicant.

f) Haardt teaches ejecting a composite laminate part (4:55-56).

The references of Holtrop, Byma, Steward, Breezer, Haardt, and Juriga are properly combinable because all are directed at thermoforming laminate sheets, and are therefore within the same field of endeavor. The references of Holtrop and Timothy are properly combinable because both are directed at headliners having cavities. One would have been motivated to combine the methods taught by Byma, Steward, Breezer, Haardt, Timothy, and Juriga with the twin-sheet

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thermoforming process taught by Holtrop in order to produce a headliner with improved acoustic properties as taught by Holtrop, optimal bonding of the laminate layers as taught by Byma, without shrinkage and surface irregularities as taught by Steward, with increased thickness as taught by Breezer, reduced danger to the laborer by ejecting the part rather than removing it manually as in the method of Haardt, and having elastic pliability, impact resistance, and structural integrity at elevated temperatures, as taught by Juriga (2:28-52). **As to Claim 2**, Holtrop is silent to the first sheet that is a low pressure, thermoformable, thermoplastic composite comprised of polypropylene and long chopped glass fibers. Haardt teaches a first sheet (2:23) that is a low pressure (3:47), thermoformable, thermoplastic composite comprised of polypropylene and reinforcing agents (2:38). Haardt teaches both first and second sheets comprised of polypropylene and reinforcing agents (2:35-39), and long glass fibers (2:59 to 3:6) used as reinforcing agent in the second sheet (3:3), and therefore it would have been obvious to one of ordinary skill that long glass fibers also be used as the reinforcement in the first sheet. Although Haardt is silent to the long glass fibers specifically being "chopped," the Examiner takes the position that the long glass fibers are not indefinite in length, and were therefore cut to some length. It would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to use a first sheet that is a low pressure, thermoformable, thermoplastic composite comprised of polypropylene and long chopped glass fibers given Haardt's teaching that such a sheet has an increased rigidity. **As to Claim 3**, Holtrop is silent to the second sheet that is a low pressure, thermoformable, thermoplastic composite comprised of polypropylene and long chopped glass fibers. Haardt teaches a second sheet that is a thermoformable, thermoplastic composite comprised of polypropylene and long glass fibers (2:59 to 3:6). Although Haardt is

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silent to the second sheet that is a “low pressure composite has a flexural modulus of about 900 MPa to about 1800 MPa as determined by ASTM D792,” Haardt’s teaching that both sheets are comprised of polyethylene and that the first sheet is formed at reduced pressure would make it obvious to one of ordinary skill that the second sheet is also capable of being formed at reduced pressure and is therefore, “low pressure composite” Although Haardt is silent to the long glass fibers specifically being “chopped,” the Examiner takes the position that the long glass fibers are not indefinite in length, and were therefore cut to some length. It would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to use a second sheet that is a low pressure, thermoformable, thermoplastic composite comprised of polypropylene and long chopped glass fibers, given Haardt’s teaching that such a sheet has an increased rigidity. **As to Claim 4**, Holtrop teaches a first headliner part that is further comprised of a layer of fusing adhesive (3:59-61 and 4:16-20 and 4:33-35). It would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to use a layer of fusing adhesive because doing so would help prevent the problems of layer delamination and sagging headliners. **As to Claim 5**, Holtrop teaches a second headliner part that is further comprised of a layer of fusing adhesive (3:59-61 and 4:16-20 and 4:33-35). It would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to use a layer of fusing adhesive because doing so would help prevent the problems of layer delamination and sagging headliners. **As to Claim 6**, Holtrop teaches the covered (Col. 4) first sheet vacuum molded on the half mold (5:3-5) wherein the layer of fusing adhesive is on a side of the first sheet that is not in contact with the half mold (4:34-35). It would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to use a layer of fusing adhesive on a side of the first sheet that is not in

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contact with the half mold because doing so would aid in bonding the two sheets together and help prevent the problems of layer delamination and sagging headliners, and also avoid sticking of the sheet to the mold. **As to Claim 7**, Holtrop teaches the second sheet vacuum molded on the half mold (5:3-5) wherein the layer of fusing adhesive is on a side of the second sheet that is not in contact with the half mold (4:34-35). It would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to use a layer of fusing adhesive on a side of the second sheet that is not in contact with the half mold because doing so would aid in bonding the two sheets together and help prevent the problems of layer delamination and sagging headliners, and also to prevent sticking of the sheet to the mold. **As to Claim 9**, Holtrop teaches a cloth (3:62) and a fabric (4:17) cover stock material, which the Examiner interprets to be the same as a felt. It would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to have used a fabric or cloth as taught by Holtrop because doing so would have provided an improved aesthetic appeal and also improved acoustic properties, as taught by Holtrop (5:24-28). **As to Claim 10**, Holtrop teaches a cover stock with an underlying layer of foam (4:17-18). It would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to incorporate the cover stock material further comprising an underlying layer of foam because doing so would have provided a soft texture and also improved acoustic properties, as taught by Holtrop (5:24-28). **As to Claim 11**, Holtrop further teaches an interlayer adhesive (3:59-63 and 4:16-24) to promote the adhesion of the fabric and foamed thermoplastic sheet. It would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to have used an interlayer adhesive to promote adhesion of the fabric and foamed thermoplastic sheet because doing so would have helped prevent the problems of layer

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delamination and sagging headliners. **As to Claim 12**, Holtrop teaches (4:33-50) adhesives on the inner surfaces of headliner parts and fusing by thermoforming to produce an adhesively laminated covered unified part (4:16-66). It would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to incorporate the cover stock material further comprising an underlying layer of foam because doing so would have helped reduce the problems of layer delamination and sagging headliners. **As to Claim 13**, Holtrop is silent to a layer of reinforcing scrim. Juriga teaches (2:55-60) an improved fiber reinforcing scrim which structurally reinforces the laminate and reduces sag at elevated temperatures located in the second sheet (5:6-7). Juriga teaches that the scrim layer is molded to the second sheet (6:29-35) in a thermoforming mold having matched mold halves (6:13-46) by compressing and fusing the reinforced scrim material to the second sheet forming a scrim reinforced second headliner part. Holtrop teaches transferring and positioning a second headliner part onto the opposing half mold of the vacuum thermoforming mold (4:51-68). It would have been obvious to one of ordinary skill in the art at the time of the invention to mold a layer of scrim material to either sheet because doing so would structurally reinforce the laminate and reduce sag at elevated temperatures. **As to Claim 14**, Holtrop teaches an underlying layer of foam (4:17-18). It would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to incorporate the cover stock material further comprising an underlying layer of foam because doing so would have provided a soft texture and also improved acoustic properties, as taught by Holtrop (5:24-28). **As to Claim 15**, Holtrop teaches (4:33-50) adhesives on the inner surfaces of headliner parts and fusing by thermoforming to produce a covered unified part (4:64-66). It would have been prima facie obvious to one of ordinary skill in the art at the time of the

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invention to incorporate the cover stock material further comprising an underlying layer of foam because doing so would have helped prevent the problems of layer delamination and sagging headliners. **As to Claim 16**, Holtrop teaches fusing the layer of fusing adhesive on the covered first headliner part to the layer of fusing adhesive on second headliner part, thereby forming a covered unified part (4:64-65). Holtrop teaches specifically mold blocks closing on to the portions of the laminate to be adhered (4:64-65). Compressing the half molds of the thermoforming mold to adhere the layers of fusing adhesive would have been prima facie obvious over the method of Holtrop. **As to Claim 20**, Holtrop teaches a covered unified headliner part (Col. 4 and 5:24). **As to Claim 23**, Holtrop teaches injecting foam into the interior compartment forming a covered unified part (5:15-21). **As to Claim 24**, Holtrop teaches injecting foam, but is silent to injecting "insulation" or to the foam acting as insulation. The Examiner takes the position that it would have been obvious to one of ordinary skill in the art that the foam taught by Holtrop (5:15-21) would have acted as thermal and sound insulation because foam is cellular, and the cells contained in foam would have inherently performed the function of insulating. **As to Claim 25**, Holtrop teaches injecting foam into the interior compartment after compressing the half molds (4:62-66 and 5:15-21), forming a covered unified part. **As to Claim 27**, Juriga teaches a reinforced scrim headliner part (6:13-48). Holtrop teaches injecting foam into the interior compartment of the unified part (4:51-68 and 5:15-21). Injecting foam into a unified part would have been prima facie obvious to one of ordinary skill in the art at the time of the invention. **As to Claim 33**, Holtrop teaches "preheating" the first sheet (4: 59-63), and additionally a preheating step for lamination of the thermoplastic sheet (4:16-24). Byrna teaches an oven (3:66) for heating a first and second sheet to predetermined temperatures

(Fig. 4) for thermoforming headliner parts to obtain optimal compression and bonding of the layers (2:1-4). Steward teaches (6:40-49) use of tenter frames during a preheating step prior to thermoforming a headliner to avoid shrinkage and surface irregularities. It would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to incorporate the oven of Byma for obtaining optimal compression and bonding of the layers and the tenter frames taught by Steward to avoid surface irregularities and shrinkage to achieve the same benefits. As to **Claim 34**, Holtrop teaches preheating the second sheet (4: 59-63), and additionally a preheating step for lamination of the thermoplastic sheet (4:16-24). Byma teaches an oven (3:66) for heating a first and second sheet to predetermined temperatures (Fig. 4) for thermoforming headliner parts to obtain optimal compression and bonding of the layers (2:1-4). Steward teaches (6:40-49) use of tenter frames during a preheating step prior to thermoforming a headliner to avoid shrinkage and surface irregularities. It would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to incorporate the oven of Byma for obtaining optimal compression and bonding of the layers and the tenter frames taught by Steward to avoid surface irregularities and shrinkage with the method of Holtrop, Byma, Steward, Breezer, Haardt, Timothy, and Juriga to achieve the same benefits.

4. **Claim 29** is rejected under 35 U.S.C. 103(a) as being unpatentable over Holtrop in view of Byma (USPN 6,322,658 B1), Steward (USPN 4,211,590), Breezer (USPN 5,635,129), Haardt (USPN 5,180,628), Timothy (USPN 5,775,726), Juriga (USPN 5,549,776), and further in view of Strapazzini (USPN 5,529,742). Holtrop in view of Byma, Steward, Breezer, Haardt, Timothy, and Juriga teach the subject matter of Claim 1. Juriga teaches, prior to compressing the half

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molds of the thermoforming mold fusing the covered first and second headliner parts, (6:15-19, foamable lamina in particular) positioning acoustic enhancing materials into what will become the interior compartment. Strapazzini teaches a vacuum forming (4:28) method for forming plastic molded panels with inserts wherein objects such as wires and duct work (2:14) are molded within the thin plastic sheet blanks. Holtrop teaches covered unified parts (4:1-68). Strapazzini also teaches integral portions configured to receive or mount exterior mechanical parts or trim elements (2:15-18). The Examiner interprets these to be fasteners. The references are properly combinable because all are directed to thermoforming laminates or headliners, and are therefore within the same field of endeavor. It would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to incorporate the elements taught by Strapazzini in the method of Holtrop, Byma, Steward, Breezer, Haardt, Timothy, and Juriga in order to provide acoustic improvements and to hide items such as wiring and fasteners from view and thereby provide a more pleasing appearance to the headliner.

5. **Claim 30** is rejected under 35 U.S.C. 103(a) as being unpatentable over Holtrop in view of Byma (USPN 6,322,658 B1), Steward (USPN 4,211,590), Breezer (USPN 5,635,129), Haardt (USPN 5,180,628), Timothy (USPN 5,775,726), Juriga (USPN 5,549,776), and further in view of Corpe (USPN 5,795,015). **As to Claim 30**, Holtrop is silent to the specific finishing treatments sought by Applicant. Corpe teaches (6:44-49) water jet cutting. It would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to include a step of water jet cutting to improve the overall appearance of the headliner, to remove it from the framed sheets, and make it fit into the vehicle. It would have been prima facie obvious to one of

ordinary skill in the art at the time of the invention to incorporate the method of Corpe into that of Holtrop, Byma, Steward, Breezer, Hardt, Timothy, and Juriga in order to provide improved aesthetic appearance and functionality as in the method of Corpe.

Response to Arguments

6. Applicant's arguments filed 26 May 2005 have been fully considered but they are not persuasive. The arguments appear to be on the following grounds:

a) Holtrop teaches pressure gas thermoforming fabric coated sheets, and then adhering. Holtrop does not teach compression molding to form a first coated sheet with a fabric in a match half mold, nor that heat and compression can be used to fuse the first and second.

b) It would be impossible to form a covered unified part having an interior compartment having head impact cushioning by the method of Byma.

c) Steward does not teach transferring cover stock to a compression mold, or as a conveyor of product to the mold.

d) Breezer does not teach using a mold to form a covered first part using compression molding and does not teach forming a cavity except as a means of adding reinforcing material.

e) The Examiner's analysis of Holtrop's cavities does not match the stated purpose of the hollow cavities.

f) Applicant's process does not claim an ejector, but the process of ejecting.

g) Applicant's claim 1 is directed to a process where the cover stock is not preheated prior to being molded. Juriga teaches that all layers are heated

h) Byma does not teach a preheat oven prior to the oven.

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- i) The Examiner has failed to show that the combinations of references teach a substrate that would be suitable for HIC headliners
- j) Claim 9 claims, among other materials, leather. No cited reference teaches leather.
- k) Holtrop does not teach a foam layer between a thermoplastic sheet and a cover stock material
- l) An equally rational explanation for the foam of Holtrop is that it would improve the stability of the corrugated article formed by Holtrop. Holtrop's disclosure is a compositional invention that does not teach the previously cited method as claimed in claim 1.
- m) Strappazzini is only marginally relevant because it does not teach twin sheet thermoforming.

7. These arguments are not persuasive for the following reasons:

- a) Holtrop teaches pressure to fuse first and second sheets (mold blocks close, 4:64). Heat was also used (4:62). As to the other arguments, flat molds are still matched (See 4:16-32), and the other cited references provide additional evidence as to other shapes being possible.
- b) The rejection was not based upon Byma alone. The Applicant's arguments appear to assert that the combination of Byma with the base reference would have been inoperative, however, the arguments only appear to highlight the differences between Byma and the base reference, namely the simultaneous combination of cover member with the inner layers and reinforcing layers. Byma was relied upon for evidence that heating to predetermined temperatures is within the ordinary level of skill in the art. By Byma's teaching of the heating to a preselected temperature as a result-effective parameter, it would have been prima facie obvious to optimize the heating. See MPEP 2144.05 II and *In re Boesch*, 617 F.2d 272, 205 USPQ 215 (CCPA 1980).

c) Steward teaches reasons as to why it would have been obvious to use tenter frames. The artisan would have found it obvious to maintain the sheets in the frames to reduce or eliminate wrinkling at all stages of fabrication. Additionally, Breezer also teaches frames being used through the thermoforming process (See Fig. 1).

d) In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

e) Holtrop's cavities would have inherently provided impact cushioning. The Applicant's arguments to Holtrop's teaching of the cavities having a different stated purpose does not appear to address the inherency argument. USPN 5348798, cited by Applicant's arguments, has been considered, however, it is unclear what the comparison intends to show. The Examiner maintains that the claimed limitation is still prima facie obvious over the cited references.

f) The process of ejecting is an inherent aspect of ejectors. The arguments do not appear to address the motivation to make the combination.

g) In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Additionally, see Holtrop's teaching in 4:16-24 for teaching of an unheated cover stock.

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h) Byma teaches heating to the predetermined temperature. Any number of additional preheat ovens would have been prima facie obvious and would not distinguish the heating step from that of Byma.

i) It is the Examiner's position that because the method limitations claimed are prima facie obvious, that the HIC impact properties argued would have also been prima facie obvious. Holtrop's method and article would have inherently created the claimed properties, or they would have been prima facie obvious over the combination of references.

j) Leather is an obvious choice for headliners. See USPN 2815979 to Seymour.

k) Holtrop's method teaches foamed thermoplastic material and a cover stock. A cover stock having a foam layer would have been prima facie obvious over Holtrop's teaching that the cover stock backed by foam is desirable. It would have been further obvious over the other cited references.

l) The Applicant's assertion regarding Holtrop as a compositional invention is noted. However, the entire patent must be considered when considering obviousness. The foam of Holtrop having impact cushioning would have been an inherent or obvious aspect.

m) The field of endeavor is not considered to be limited to twin sheet thermoforming.

Strappazini teaches a method of forming interior trim components, and is deemed to be within the same field of endeavor.

Conclusion

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Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Daniels whose telephone number is (571) 272-2450. The examiner can normally be reached on Monday - Thursday, 7:30 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Colaianni can be reached on (571) 272-1196. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MJD 8/10/05



MICHAEL P. COLAIANNI
SUPERVISORY PATENT EXAMINER